

I hope to be able to give fair consideration to the propositions about which he has spoken this morning.

(The remarks of Mr. GRASSLEY pertaining to the introduction of S. 1440 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2004

The PRESIDING OFFICER. Under the previous order, the hour of 11 a.m. having arrived, the Senate will resume consideration of H.R. 2555, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2555) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes.

(The committee-reported amendment, in the nature of substitute, which was omitted from the RECORD of Monday, July 21, 2003, is as follows:)

[Strike the part shown in black brackets and insert the part shown in italic.]

H.R. 2555

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

[That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Homeland Security for the fiscal year ending September 30, 2004, and for other purposes, namely:

[TITLE I—DEPARTMENTAL MANAGEMENT AND OPERATIONS

[DEPARTMENTAL ADMINISTRATION

[SALARIES AND EXPENSES

[For necessary expenses for management and operations of the Department of Homeland Security \$221,493,000; of which not to exceed \$78,975,000 shall be for the Office of the Secretary and Executive Management; of which not to exceed \$116,139,000 shall be for the Office of the Under Secretary for Management; of which not to exceed \$8,106,000 shall be for the Immediate Office of the Under Secretary for Border and Transportation Security; of which not to exceed \$10,044,000 shall be for the Immediate Office of the Under Secretary for Information Analysis and Infrastructure Protection and the Command Center; of which not to exceed \$3,293,000 shall be for the Immediate Office of the Under Secretary for Emergency Preparedness and Response; and of which not to exceed \$4,936,000 shall be for the Immediate Office of the Under Secretary for Science and Technology: *Provided*, That not to exceed \$2,000,000 may be used for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of Homeland Security: *Provided further*, That not to exceed \$40,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine.

[COUNTERTERRORISM FUND

[For necessary expenses, as determined by the Secretary of Homeland Security,

\$20,000,000, to remain available until expended, to reimburse any Federal agency for the costs of providing support to counter, investigate, or prosecute unexpected threats or acts of terrorism, including payment of rewards in connection with these activities: *Provided*, That the Secretary shall notify the Committees on Appropriations 15 days prior to the obligation of any amount of these funds in accordance with section 503 of this Act.

[DEPARTMENT-WIDE TECHNOLOGY INVESTMENTS

[For development and acquisition of information technology equipment, software, services, and related activities for the Department of Homeland Security, and for the costs of conversion to narrowband communications, including the cost for operation of the Land Mobile Radio legacy systems, \$206,000,000, to remain available until expended: *Provided*, That none of the funds appropriated shall be used to support or supplement the appropriations provided for the United States Visitor and Immigrant Status Indicator Technology system and the Automated Commercial Environment.

[OFFICE OF THE INSPECTOR GENERAL

[SALARIES AND EXPENSES

[INCLUDING TRANSFER OF FUNDS)

[For necessary expenses for the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$58,118,000; of which not to exceed \$1,000,000 may be used for unforeseen emergencies of a confidential nature, to be allocated under the direction of the Inspector General of the Department of Homeland Security: *Provided*, That in addition, \$22,000,000 shall be derived by transfer from the Emergency Preparedness and Response Disaster Relief Fund.

[TITLE II—BORDER AND TRANSPORTATION SECURITY

[CUSTOMS AND BORDER PROTECTION

[BUREAU OF CUSTOMS AND BORDER PROTECTION

[SALARIES AND EXPENSES

[INCLUDING TRANSFER OF FUNDS)

[For necessary expenses of the Bureau of Customs and Border Protection for enforcement of laws relating to border security, immigration, customs, and agricultural inspections and regulatory activities related to plant and animal imports, including planning, construction, and necessary related activities of buildings and facilities, \$4,584,600,000; of which not to exceed \$25,000 shall be for official reception and representation expenses; of which not to exceed \$129,000,000 to remain available until September 30, 2005, shall be for inspection technology; of which such sums as become available in the Customs User Fee Account, except sums subject to section 13021(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account; and of which not to exceed \$5,000,000 shall be for payments or advances arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to immigration: *Provided*, That none of the funds available to the Directorate of Border and Transportation Security may be used to pay any employee overtime pay in an amount in excess of \$30,000 during the calendar year beginning January 1, 2004, except that the Commissioner of Customs and Border Protection may exceed such limitation as necessary for national security purposes and in cases of immigration emergencies: *Provided further*, That uniforms may be purchased without regard to the general purchase price

limitation for the current fiscal year: *Provided further*, That no funds shall be available for the site acquisition, design, or construction of any Border Patrol checkpoint in the Tucson sector: *Provided further*, That the Border Patrol shall relocate its checkpoints in the Tucson sector at least once every 7 days in a manner designed to prevent persons subject to inspection from predicting the location of any such checkpoint.

[In addition, for administrative expenses related to the collection of the Harbor Maintenance Fee, pursuant to Public Law 103-182, and notwithstanding section 1511(e)(1) of Public Law 107-296, \$3,000,000 to be derived from the Harbor Maintenance Trust Fund and to be transferred to and merged with this account.

[AUTOMATION MODERNIZATION

[For expenses not otherwise provided for Bureau of Customs and Border Protection automated systems, \$493,727,000, to remain available until expended, of which not less than \$318,690,000 shall be for the development of the Automated Commercial Environment: *Provided*, That none of the funds appropriated under this heading may be obligated for the Automated Commercial Environment until the Bureau of Customs and Border Protection prepares and submits to the Committees on Appropriations a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including OMB Circular A-11, part 3; (2) complies with the Bureau of Customs and Border Protection's Enterprise Information Systems Architecture; (3) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government; (4) is reviewed and approved by the Bureau of Customs and Border Protection Investment Review Board, the Department of Homeland Security, and the Office of Management and Budget; and (5) is reviewed by the General Accounting Office: *Provided further*, That none of the funds appropriated under this heading may be obligated for the Automated Commercial Environment until such expenditure plan has been approved by the Committees on Appropriations.

[IMMIGRATION AND CUSTOMS ENFORCEMENT

[BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT

[SALARIES AND EXPENSES

[For necessary expenses of the Bureau of Immigration and Customs Enforcement for enforcement of immigration and customs laws, detention and removals, investigations, including planning, construction, and necessary related activities of buildings and facilities, \$2,030,000,000; of which not to exceed \$5,000,000, to remain available until expended, shall be for conducting special operations pursuant to Public Law 99-570 (19 U.S.C. 2081); of which not to exceed \$15,000 shall be for official reception and representation expenses; of which not less than \$100,000 shall be for promotion of public awareness of the child pornography tipline; and of which not less than \$200,000 shall be for Project Alert: *Provided*, That none of the funds available to the Bureau of Immigration and Customs Enforcement may be used to pay any employee overtime pay in an amount in excess of \$30,000 during the calendar year beginning January 1, 2004, except that the Assistant Secretary of the Bureau of Immigration and Customs Enforcement may exceed such limitation as necessary for national security purposes and in cases of immigration emergencies: *Provided further*, That of the total amount of funds made available for activities to enforce laws against forced child